

RE: EVICTION PROTOCOL CONFERENCE AGENDA

In November at
Billericay Fire Station
Martin,

I've contacted quite a few people,
partly with a view to getting a solicitor
on the Travellers' team.

This could be Bobbie Whitehead, of FFT
(Brighton), Ali Fiddy of the Children's Legal Centre,
or Brenda Parks, of CRE.

Here are some of the items we would like
to raise:

1) Briefly reviewing some past evictions by
Constant & Co (with short DVD presented by Phil
Jackson, raising these issues:

a) demolition of buildings, hardstanding etc
with heavy machinery before the site is
secured by demolition-site type fencing.

b) presence of small children and old people
while demolition with JCBs, bulldozers is in
progress.

c) danger from exposed electric wires.

d) danger from gas tanks.

e) health danger from cess-tanks broken
during eviction.

2) What does Enforcement/Injunction entail?
Wording is usually *removal* of hardstanding,
fencing, sheds etc (as well as caravans, mobile-homes,
chalets). But in practice Constant have in the past
broken down fencing, sheds, etc and in many cases
burned them.

Should not everything possible be **removed** rather than destroyed (can we have some definition of this (legal if necessary)).

3) Concerns over insurance coverage in case children or adults are injured (many fear a child could be killed).

4) Need to compare existing Essex police Guidelines (Code) with Metropolitan police guidelines.

5) Within this review and for the safety of Dale Farm residents, we need to know more about the plans drawn up and presented to BDC for the eviction at Dale Farm. If there are confidential elements, we want these to be reviewed by Essex Fire & Rescue officers (and modified if necessary)

6) In the operation carried out for Hertsmere council in January 2005, Constant bailiff and police entered the site very early in the morning (before light). We feel such an operation amounts to degrading and inhuman treatment, and contravenes the Human Rights Act. We want an assurance that any future eviction at Dale Farm, taking into account the rights of the legal residents along Oak Lane, should not start before 9 am, allowing children to go to school.

7) On the subject of access, what right have BDC and agents their agents Constant to drive up the private Oak Lane, which serves the forty authorised yards as well as those facing Enforcement. Such an operation would be against the express wishes of the legal residents (related to those facing eviction).

8) The owners of the land/yards have a right to know in detail what exactly the BDC intend to do to "restore" the Green Belt:

for example, is it intended to remove the road surfaces on Oak Lane and Camilla drive, parts of which serve the legal property of Dale Farm (Patrick Egan) and include the presumably legal road (Oak Lane) surface that served the old scrap.

9) Can we be assured that BDC officials, including those concerned with welfare and homelessness, are present during any eviction.

10) Previous evictions have been followed by blocking of access (by bunds), removal of top-soil, digging of trenches (which means destruction of Green Belt rather than preservation), and adding slurry (to deter re-occupation) Can we have assurances these measures will not take place?

11) There are major concerns about the dismantling of chalets and their proper storage. In past evictions chalets and mobile homes have been severely damages (even burned).

Does Constant have the expertise and the facilities to properly dismantle, transport and store up to forty chalets and mobile-homes?

12) Has a proper risk assessment taken place as required under Management of Health and Safety Regulations 1999 and the EC Framework Directive regards both residents and council employees and agents, and the general public?

This should involve assessment of the hazards present on the site, measures to control risks etc; examining each activity which could cause injury (demolishing, digging up roads, towing, moving heavy machinery etc)

You are required to identify persons who may

be at risk (residents, employees, members of the public);

Judge and record the likelihood of an accident or accidents.

Record any circumstances arising where serious and imminent danger could arise

(If this risk assessment has been done, we need to see a copy)

13) If caravans and other vehicles are removed without their owners consent onto the public road at Oak Road or the A127 who will be held responsible for the obstruction of the highway? Surely not the owner. We would like a clarification.

We want to know who will be employed to dismantle chalets, as past experience show Constant bailiffs do not have the expertise. Will chalets be taken to the South Mimms depot? How will they be stored? How reclaimed.

Will Constant/Basildon be insured to cover damage to the chalet (what about those owned by Mr Jenkins?)